

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ABRAR OMEISH

Plaintiff,

v.

SHERIFF STACEY ANN KINCAID, ET AL,

Defendants.

Case No. 1:21-cv-00035-LO-IDD

District Judge Liam O'Grady
Magistrate Judge Ivan Davis

[PROPOSED] ORDER

Having reviewed Plaintiff Abrar Omeish's Motion for Summary Judgment, Sheriff Kincaid's response, and in light of (1) Omeish's waiver made at oral argument as to any rights under the Library of Virginia retention schedule as it relates to the destruction of the of the March 5, 2019 booking photo of Ms. Omeish without her hijab (the "Photograph") in its possession, and (2) the successful expungement of Omeish's record, as well as all related documents and filings, and for good cause shown, the Court granted Summary Judgment to Plaintiff on July 12, 2022. Dkt. 111. Based on that grant, and consistent with [the attached opinion/a forthcoming opinion/the Court's rulings made at oral argument], it is further

ORDERED that Sheriff Kincaid shall destroy all copies of the Photograph in its possession or in the possession of any of its employees. Defendant Kincaid shall submit a status report within 14 days of this order describing how it has fully complied with this order, including an affidavit from a relevant official confirming that the Sheriff's Office has completed a search of its physical and electronic records and a list of the physical and electronic copies it destroyed. It is further

ORDERED that within 14 days, Sheriff Kincaid issue a written request, with a copy of this Order and a copy of Ms. Omeish's successful expungement order attached, to all other entities it has reason to believe are custodians or possessors of the Photograph, including the Virginia State Police and the Fairfax County Police Department, asking each custodian or possessor to destroy the offending photograph. If Sheriff Kincaid does not have a copy of Ms. Omeish's expungement order in their possession, Ms. Omeish shall provide Sheriff Kincaid with a copy. Sheriff Kincaid shall use its best efforts to assist all third parties in destruction of the Photograph. Sheriff Kincaid shall submit a status report within 21 days of this order summarizing the entities notified and their responses to the Sheriff's Office's notifications, and, to the extent photographs remain undestroyed, what steps are necessary to ensure their destruction.

SO ORDERED.

Date

The Hon. Liam O'Grady
United States District Judge